

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
FILE NO. 5:08-cv-00403-FL

SMD SOFTWARE, INC., a North Carolina corporation, and SITELINK SOFTWARE, LLC, a North Carolina limited liability company,

Plaintiffs,

v.

EMOVE, INC., a Nevada corporation, and WEB TEAM ASSOCIATES, a Nevada corporation,

Defendants.

**ORDER GRANTING DEFENDANTS'
MOTION TO FILE CERTAIN EXHIBITS
TO THEIR MOTION TO EXCLUDE OR, IN
THE ALTERNATIVE, MOTION FOR
SANCTIONS UNDER SEAL**

This 12th day of August, 2013, Defendants' Motion to File Certain Exhibits to their Motion to Exclude or, in the Alternative, Motion for Sanctions Under Seal, which was filed with the consent of Plaintiffs, is GRANTED and the following materials SHALL BE FILED UNDER SEAL: (1) representative samples of the 6,000 plus pages of the Plaintiffs' call log notes (Exhibit L) and (2) representative samples of the 1,200 plus pages of the Plaintiffs' customer list/payment documentation (Exhibit M) (collectively "the Proposed Sealed Materials").

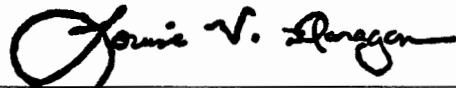
The Court further finds that:

1. The Defendants' Motion is consented to by all the parties;
2. The Proposed Sealed Materials contain material designated as "confidential" or "attorney's eyes only" by the Plaintiffs, namely non-public information regarding: Plaintiffs' customer information and Plaintiffs' pricing and marketing strategies;

3. The nature and quality of such material justifies sealing the material, despite the competing interests of the public, because the publication of such private and confidential information would be harmful to the parties' business interests and competitive standing, and no alternative to sealing is adequate; and

4. The Plaintiffs' interests in maintaining the confidentiality of these documents and information override any constitutional or common law right of public access which may attach to the documents and/or information at issue.

SO ORDERED, this the 12TH day of August, 2013.

A handwritten signature in black ink, appearing to read "Louise W. Flanagan", written over a horizontal line.

LOUISE W. FLANAGAN
United States District Court Judge